WO

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

UNITED STATES OF AMERICA

		V.		ORDI	ER OF DETEN	ITION PENDING TRIAL	
		Jose Lopez-Avila	Case No	umber: _	08-6303M		
present	and wa	with the Bail Reform Act, 18 U.S.0 s represented by counsel. I conclu e defendant pending trial in this ca	ide by a preponderance				
			FINDINGS OF FA	СТ			
I find by	/ a prep	onderance of the evidence that:					
	\boxtimes	The defendant is not a citizen of	the United States or lawfully admitted for permanent residence.				
	X	The defendant, at the time of the charged offense, was in the United States illegally.					
		If released herein, the defendant faces removal proceedings by the Bureau of Immigration and Custom Enforcement, placing him/her beyond the jurisdiction of this Court and the defendant has previously been deporte or otherwise removed.					
		The defendant has no significant contacts in the United States or in the District of Arizona.					
		The defendant has no resources to assure his/her future appearant	in the United States from	n which	he/she might n	nake a bond reasonably o	alculated
	\boxtimes	The defendant has a prior crimin	al history.				
		The defendant lives/works in Me	xico.				
		The defendant is an amnesty a substantial family ties to Mexico.		stantial	ties in Arizona	a or in the United States	and has
		There is a record of prior failure to	to appear in court as ord	lered.			
		The defendant attempted to evad	de law enforcement con	tact by fl	eeing from law	enforcement.	
		The defendant is facing a maxim	um of	у	ears imprisonr	ment.	
at the ti	The Co me of th	urt incorporates by reference the relearing in this matter, except as	material findings of the P s noted in the record. CONCLUSIONS OF		ervices Agency	which were reviewed by	the Court
	1. 2.	There is a serious risk that the de No condition or combination of combination of combination of combination of combined part of the North Combined	efendant will flee.	/ assure		ce of the defendant as red	quired.
appeal. of the U	ctions fa The de Inited St	fendant is committed to the custoc cility separate, to the extent practic fendant shall be afforded a reason ates or on request of an attorney f e United States Marshal for the pu	dy of the Attorney Gener cable, from persons awai able opportunity for privation or the Government, the purpose of an appearance	al or his/ ting or se ate cons person ir e in conr	/her designated erving sentence ultation with de n charge of the nection with a c	es or being held in custody fense counsel. On order corrections facility shall d	pending of a court
deliver a	IT IS O a copy o	RDERED that should an appeal of the motion for review/reconsidera	EALS AND THÌRD PAR' f this detention order be ation to Pretrial Services	filed with	n the District Co	ourt, it is counsel's respor o the hearing set before th	nsibility to ne District
Service	s suffici	JRTHER ORDERED that if a releat ently in advance of the hearing be potential third party custodian.	ase to a third party is to before the District Court t	e consid to allow	lered, it is coun Pretrial Servic	sel's responsibility to noti es an opportunity to inter	y Pretrial view and
	DATE	ED this 17 th day of October	r, 2008.				
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David K. Duncan United States Magistrate Judge